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To: Microsoft ATR **Date:** 12/6/01 12:40pm

Subject: tunney act

The proposed settlement does not respond to the cause of the litigation. Bundling or tying computer products together by definition uses the market position of one product [windows] to assist brand new product [explorer, word, office]. Prior to Mocrosoft's tying products to the operating system, the public had options and alternative products. Word Perfect was an excellent product with good market share before Microsoft eliminated competition by bundling Word to Windows. The same is true for numerous products that Microsoft has used its market dominance to eliminate from competition.

The proposed settlement does not resolve the issue which caused the case in the first place. Microsoft should be broken into at least3 companies: operating system, applications and internet. The mere fact that Microsoft has added so many products to the operating system should have given the Justice Department pause to ask - To whose benefit? Not the public if good products with good market share are driven from the marketplace. Microsoft is the only beneficiary.

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